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January 27, 2005

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Examiner Javier G. Blanco	571-272-4747	703-872-9306
United States Patent and Trademark Office		

From: Andrew V. Smith **Client-Ma ter Number:** 2502440-991501
 415.836.2522

Re: United States Patent Application 09/811,360
 Filed March 16, 2001
 Inventor Eugene M. Wolf

Pages: - 22 - (including this form) **Originals:** will not follow

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Message:

This is a re-submission of an Amendment under 37 CFR 1.116 filed on December 21, 2004 via US First Class Mail.

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Sincerely



Andrew V. Smith, Ph.D.
 Registration No. 43,132

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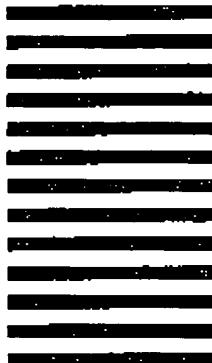
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Application Serial No : 09/811,360
Filing Date: March 16, 2001
Title: Facile Total Shoulder Arthroplasty Apparatus and Method
Attorney Docket No.: 2502440-991501
Applicant(s): Eugene M. Wolf

Enclosed are:

1. Transmittal Form, PTO/SB/21, (1 page + duplicate):
2. Amendment, 18 pages

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PTO/SB/21 (09-04)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	33/811,360
Filing Date	March 16, 2001
First Named Inventor	Eugene M. Wall
Art Unit	3738
Examiner Name	Javier G. Blanco
Attorney Docket Number	2302440-991501

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ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <input type="checkbox"/> Return-Receipt Postcard:
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Gray Cary Ware & Freidenrich, LLP, 153 Townsend Street, Suite 800 San Francisco, CA 94107		
Signature			
Printed name	Andrew V. Smith, Reg. No. 43,132, Telephone: 415-836-2522 Facsimile: 415-836-2501		
Date:	12-21-04	Reg. No.	43,132

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Signature	
Typed or printed name	Gerry Ubau
Date	12-21-04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.11. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Gerry Ubau

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/811,360
 Applicant : Eugene M. Wolf
 Filed : March 16, 2001
 TC/A.U. : 3738
 Examiner : Javier G. Blanco
 Docket No. : 2502440-991501
 Customer No. : 29585

Confirmation No. 7725

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Title: FACILE TOTAL SHOULDER ARTHROPLASTY APPARATUS AND METHOD

Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

AMENDMENT UNDER 37 CFR 1.116

Sir:

In response to a discussion with Examiner Javier Blanco and Supervisory Examiner Corrine McDermott, and in response to the Office Action mailed October 6, 2004, please amend the above-identified patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 16 of this paper.

Page 1 of 18

SF3107075.1
 2502440-991501

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